

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
MAR 31 2008

*[Signature]*  
CLERK

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\*  
UNITED STATES OF AMERICA, \* CR 07-40090-02  
\*  
Plaintiff, \*  
\*  
vs. \* ORDER  
\*  
CHRISTOPHER JAMES AUSTAD, \*  
\*  
Defendant. \*  
\*\*\*\*\*

Pending before the Court is the Defendant Christopher James Austad's Petition to Plead Guilty and Statement of Factual Basis. A hearing to take the plea was held before the Magistrate Judge on March 10, 2008, and Judge Simko issued a Report and Recommendation recommending to this Court that the plea be accepted and the Defendant be adjudged guilty as charged in Count 3 of the Indictment with Mailing Threatening Communications in violation of 18 U.S.C. § 876. After a careful review of the file, and the time for objections having expired,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, the plea is accepted and the Defendant Christopher James Austad is adjudged guilty.

Dated this 31<sup>st</sup> day of March, 2008.

BY THE COURT:

*[Signature: Lawrence L. Piersol]*  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY: *[Signature: Shelly Margulies]*  
DEPUTY